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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,710	01/29/2000	Gabriel Ilan	P-1653-US	3580

24505 7590 10/03/2003

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EXAMINER

BEAULIEU, YONEL

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

09/674,710

Applicant(s)

ILAN ET AL.

Examiner

Yonel Beaulieu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-19 and 21-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-19 and 21-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Notice of References Cited	Application/Control No. 09/674,710	Applicant(s)/Patent Under Reexamination ILAN ET AL.	
	Examiner Yonel Beaulieu	Art Unit 3661	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,124,826	09-2000	Garthwaite et al.	342/357.09
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Claim Objections

Claim 14 is objected to because of the following informalities: it is suggested to change "signalS" (line 2) to - -signals- -. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 8 – 15, 17, 19, 21 – 27, 29, and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Garthwaite et al. (US 6,124,826).

Regarding claims 8 – 15, 17, 19, 21 – 27, 29, and 33, Garthwaite et al. teaches an apparatus (figs. 1-2) and method, comprising a voice recognition unit to recognize voice input and to output at least one first command from at least one command data

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set, a handwriting recognition unit to recognize handwritten input and to output at least one second command from at least one command data set and a control unit receiving the commands and communicating a command signal associated to at least one appliance within a vehicle (figs. 1-2; col. 3: 45 – col. 4: 2); Garthwaite et al. further teaches this idea of symbolic characters (col. 3: 40 – 43), the apparatus connecting to the appliance by an interface (20; col. 3: 64 – 67), an appliance being a radio (col. 2: 42 – 44; col. 3: 44 – 45), a cellular telephone (mobile phone) in satellite navigation system 1)(note col. 4: 14 – 17 and 33 – 45 at least), a personal computer (6), a microphone (not explicitly shown; however, note col. 3: 56 – 59 at least).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garthwaite et al. ('826) as applied to claim 25 (directly or indirectly).

Garthwaite et al. teaches all of the limitations except for associating a user command with a 3-dimensional hand signal/gesture. However, it would have been obvious to one of ordinary skill in the art at the time of the invention such an association would only involve routine skill in the art.

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Claims 18, 31, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garthwaite et al. ('826) as applied to claim 25 (directly or indirectly) above, and further in view of Obradovich (US 6,282,464).

Garthwaite et al. teaches all of the limitations except for a car alarm, a sunroof and a window.

However, Obradovich teaches, in an art related field, a vehicle appliance being a car alarm (col. 9: 50 – col. 10: 44), a sunroof or a window (note item 108c); col. 7: 54 – 57).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Garthwaite et al.'s apparatus by including a car alarm, a sunroof and a window as evidenced by Obradovich in order to add to the versatility of the apparatus.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yonel Beaulieu whose telephone number is (703) 305-4072. The examiner can normally be reached on M-R, from 0900-1600.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. CUCHLINSKI can be reached on (703) 308-3873. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Y. BEAULIEU
YONEL BEAULIEU
PRIMARY EXAMINER